

# New York State Provides Pregnancy Disability Benefits



**MANY EMPLOYERS OFFER PAID LEAVE** to women during the final weeks of their pregnancy and for a period after the birth of their child. But many others offer only unpaid leave. To ensure support to those women and their families, the State of New York has legislated a disability benefit for maternity leave.

Under the Disability Benefits Law (DBL), New York law requires employers to provide short-term disability coverage to their employees. Short-term disability insurance provides up to 26 weeks of partial wage replacement (50 percent of your wages, up to a weekly cap) when you're temporarily unable to work due to any disabling condition — including pregnancy. Pregnant women can collect the benefit four weeks before the due date of the birth of the child and six weeks after giving birth (eight weeks if the child was delivered by Caesarian section). Benefits can be extended for as long as 26 weeks if the woman's doctor provides documentation that she should not return to work.

Applying for the benefit involves submitting a medical report completed by a doctor or certified nurse midwife to the New York Workers Compensation Board stating the disability is due to or related to pregnancy or recovery from delivery.

The benefit differs from New York's Paid Family Leave policy, considered one of the nation's most comprehensive. Notably, you can't collect disability benefits and Paid Family Leave at the same time. As well, the combined total disability leave and Paid Family Leave in any 52-week period cannot exceed 26 weeks.

## IMPLICATIONS AND LIMITATIONS

While the disability benefit provided by the State of New York is a step in the right direction, it's important to note that such benefits are taxable income for the recipient. This means that even if you receive a disability benefit of 50 percent of your compensation, the benefit might not adequately meet your needs after factoring in the tax burden.

Additionally, it's essential to consider the limitations of short-term disability coverage provided by employers. The benefit might not be sufficient to cover your needs in the case of a more catastrophic injury or illness that results in a longer-term disability. In such cases, private insurance could provide additional financial protection.



To navigate through these complexities and ensure comprehensive coverage, it's advisable to consult with a financial advisor. They can help you evaluate how these new requirements in the state of New York impact not just short-term disabilities but also your long-term needs. A financial advisor can assist in assessing your insurance coverage, identifying any gaps, and recommending appropriate solutions to secure your financial well-being.

In conclusion, it's important for pregnant women and new mothers to not only take advantage of the disability benefit provided by the state but review their other insurance coverage and coverage opportunities. By educating themselves, seeking professional guidance, and communicating with their employers, they can make informed decisions and maximize the financial assistance they can receive. Such a proactive approach could provide peace of mind during pregnancy as well as contribute to a secure financial future.

**IMPORTANT DISCLOSURES**

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